IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FOURTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 25002 of 2004

Between:

1 J. Satyanarayana, S/o. Jagannatham,
O/o. the Dy. Director, Ground Water Dept., Mahabubnagar, Mahabubnagar District.
2 S. Anjaneyulu, S/o. Anantharamaiah,
O/o. the Dy. Director, Ground Water Dept, Anantapur, Anantapur District.
3 K. Koteshwara Rao, S/o. Latchaiah,
O/o. the Dy. Director, Ground Water Dept., Guntur, Guntur District.
4 Reddy Adinarayana, S/o. Sanyasi Naidu,
O/o. the Dy. Director, Ground Water Dept., Vizianagaram, Vizianagaram District.
5 N. Buli Veera Reddy, S/o. Ramakrishna Reddy,
O/o. the Dy. Director, Ground Water Dept., Rajahmundry, E.G.District.
6 R. Venkateshwar Rao, S/o. Venkata Rama Raju,
O/o. the Dy. Director, Ground Water Dept., Vijayawada, Krishna District.
7 A. Arjun, S/o. Siddiramulu,
O/o. the Dy. Director, Ground Water Dept., Mahabubnagar, Mahabubnagar District.

..... PETITIONERS

AND

1 The State of A.P., rep. by the Secretary, Irrigation & Command Area Development Department, Secretariat, Hyderabad-22.
2 The Director, A.P. Ground Water Department, 8th Floor, B.Block, B.R.K.R. Bhavan,
Tank Bund Road, Hyderabad.
3 B. Janardhan Reddy, Assistant Geophysicist, O/o. Deputy Director, Ground

Water Dept., Meerbagh Colony, Hyderabad Road, Nalgonda.
4 B. Ramana Murthy, Assistant Geophysicist, Ground Water Dept., Near RTC Complex, Srikakulam.
5 D. Lakshmana Rao, Ground Water Dept., Near RTC Complex, Srikakulam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue writ, order or direction more particularly one in the nature of Writ of Certiorari, calling for the records from APAT, pertaining to and connected with common order passed by the Honourable A.P.A.T. Dt. 04.10.2004 in O.A.No.7300/98, 7877/98, 8476/98, OA. 8489/98 and batch and quash the same in so far as the petitioners herein are concerned by declaring it as arbitrary, illegal, unjust, contrary to law, untenable in law and also on acts and also in violation of Articles 14 & 21 of the Constitution of India, and to pass such other order or orders as this Honourable Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.P.SRIDHAR RAO

Counsel for the Respondents: GP FOR SERVICES II

The Court made the following :

O R D E R: (PER GB.J)

1) This writ petition is filed assailing the order, dated 04.10.2004 passed in O.A.No.7300 of 1998 and batch, on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad, wherein, the learned Tribunal dismissed the O.As, on the ground of limitation.

2) Heard the learned counsel for both the parties.

3) The Tribunal having admitted the O.As., ought not to have dismissed the same on the ground of limitation.

4) On the other hand, the writ petitioners submitted a representation to the Department in the year 1988 itself. The Department rejected their application and which gave cause of action for them to file the O.A.

5) In the circumstances of the case, we deem it appropriate to set aside the impugned order and remand the matter back to the Tribunal for adjudication on merits.

6) Accordingly, the writ petition is allowed. No costs.

G.BIKSHAPATHY.J.,

_____ B.SESHASAYANA REDDY.J.,

Dt.24.01.2005

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To

1 The State of A.P., rep. by the Secretary, Irrigation & Command Area Development Department, Secretariat, Hyderabad-22.
2 The Director, A.P. Ground Water Department, 8th Floor, B.Block, B.R.K.R. Bhavan,
Tank Bund Road, Hyderabad.
3 2 CCs to the G.P. for Services-II, High Court of A.P., Hyderabad.

4. 2 CD copies